

1 **Ashley M. Gjovik, JD**

2 *Pro Se Plaintiff*

3 2108 N St. Ste. 4553

4 Sacramento, CA, 95816

5 (408) 883-4428

6 legal@ashleygjovik.com

7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**

9 **Case No. 3:23-CV-04597-EMC**

10 **Filed:** September 7 2023

11 **District Judge:** Honorable Edward M. Chen

12 **ASHLEY GJOVIK, an individual,**

13 Plaintiff,

14 v.

15 **APPLE INC, a corporation,**

16 Defendant.

17 **[PROPOSED] ORDER DENYING**
18 **DEFENDANT APPLE INC'S MOTION TO**
19 **DISMISS PLAINTIFF'S CERTAIN CLAIMS**

20 Dept: Courtroom 5, 17th Floor (Virtual)

21 Date: February 8, 2024

22 Time: 1:30 p.m.

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2 [PROPOSED] ORDER DENYING DEFENDANT'S MOTION TO DISMISS
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4 Pending before the Court is Defendant Apple, Inc.'s Motion to Dismiss seven of
5 Plaintiff's eleven claims due to Plaintiff failing to plead sufficient facts to state a claim upon
6 which relief can be granted.
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9 Having considered the moving and opposition papers, arguments, and all other matters
10 presented to the Court, the Court finds that Plaintiff Ashley Gjovik has alleged sufficient facts to
11 state claim upon which relief may be granted for all eleven claims.
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13 IT IS HEREBY ORDERED that Defendant's Motion to Dismiss for Failure to State a Claim for
14 seven of Plaintiff's claims is denied. Plaintiff's eleven claims may proceed.
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17 Dated: _____
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19 JUDGE EDWARD M. CHEN
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21 U.S. DISTRICT COURT JUDGE
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